

## **LAKESIDE COMMUNITY COUNCIL MEETING – September 2011**

DATE: 09/27/2011 TIME: 7:00pm

PLACE: Lakeside Sewer District Meeting Room; 253 Bierney Creek Rd.

NOTICED: County P&Z website Calendar of Events page; Lakeside Plan Committee's website Calendar Page, posters in Library and Post Office in Lakeside, submitted to DIL Daybook column.

### **AGENDA:**

1. Call to order.
2. Sign-in sheet.
3. Approve Agenda.
4. Approve prior meeting minutes –
  - a. Approve meeting minutes from August 2011
5. Review/recommendations on any County applications in the Lakeside planning area (if any are scheduled)
  - a. None
6. Guest presentations or reports (listed below, if any are scheduled)
  - a. None
7. Sub-committee reports from any LCC authorized subcommittees (listed below, if any are scheduled)
  - a. None
8. Procedural discussions or items (listed below, if any are scheduled)
  - a. Welcome Janet
  - b. Release/dissolve Trails Committee.
  - c. Discuss status & funding for the Blacktail Trail
9. Public Comment
10. Meeting adjourned

### **MEETING MINUTES:**

Council Members attending: Barb Miller, Keith Brown, David Fetveit, Craig Koontz, Janet Conroy

Council Members not attending: Gene Shellerud, Mike Wilson

P&Z attendees: None

Public: Jim Clark, Lauri Stevens, Susan Handy, Rich & Jan Williams, Cid Magnotta, Tamara Tanberg

### **MINUTES:**

1. Meeting called to order 7:01pm
2. Sign in sheet passed.
3. Barb moved, Craig seconded and passed unanimously to approve agenda.
4. Correction to 8/30/2011 meeting minutes from David: item 8c – The county and/or engineering consultant will make contact with the Williams Family Trust if needed after the engineering survey to determine the county right of way boundaries. Barb moved, David seconded, and passed unanimously to approve August meeting minutes as amended.
5. None
6. None
7. None

8. Procedural:

- a. Welcome to Janet as a new member of the Council. Barb asked Janet to send her a copy of the letter from the County appointing her for LCC files.
- b. Thanks for all the work of the Trails Committee. Per recommendation from the August meeting from BJ Grieve and Alex Hogle, David moved, Keith seconded and passed unanimously to release and dissolve the Trails Committee with thanks from the Council.
- c. Blacktail Trail update
  - i. The Project Agreement is back with the county after corrections by CTEP.
  - ii. Project Agreement must be signed by the Commissioners before the project can proceed. Alex indicated to Barb via phone that it should be on the Commissioners' agenda in the next several weeks.
  - iii. Those from the community present were urged to help support fundraising for the local match needed. (Community needs to raise approximately \$50,000, about 14% of the \$300,000 CTEP funding allocated to Lakeside for the Blacktail Trail.)
  - iv. Laurie Stevens noted that the Stevens property (on both sides of Blacktail Road), is one piece of property and that the county right of way is not 60 feet wide through this property.
- d. Keith noted that we must re-elect officers after an appointment to the Council. Barb will put it on the agenda for the October meeting.

9. Public Comments:

- a. **Q:** What happened to the Downtown Development Committee?  
**A:** The Council voted to put the effort on hold until the pending lawsuit is resolved.
- b. Jim Clark submitted a list of questions/comments, not all of which were brought up or discussed in the meeting (see attachment at end of minutes).
  - i. **Q:** The process for filling the vacant seat was questioned. According to the By-Laws (Art.5; III; B.), term should be to the next election, not the whole 3 years.  
**A:** Everyone expressing interest was told they needed to submit a letter and/or resume. A letter to the Commissioners from the Council communicated the names of those who did. The Commissioners appointed Janet Conroy to the vacant seat. Council member Keith will verify the correct length of this term with the county (the full 3 years or just until the next public election, which will be in May 2012).
  - ii. **Q:** The July meeting was cancelled due to cost. What is the cost of the meeting? A planner hasn't attended since last year?  
**A:** Mr. Clark was confusing two issues.
    - (1) No June meeting was held due to lack of a quorum of Council members present. The July meeting was cancelled because P&Z could not attend that meeting to discuss the Blacktail Trail and there were no other agenda items. Cost had nothing to do with either meeting not being held.
    - (2) A letter & press release from P&Z to reduce the number of meetings because of cost: This request was being made to help reduce service & staff costs in P&Z. In fact the director of P&Z and a planner attended the August 2011 meeting of the Lakeside Council

to talk about the Blacktail Trail. At that meeting, after a brief discussion of this press release, the Lakeside Council voted that they would stand by their By-Laws and continue monthly meetings to offer scheduling predictability to the community so they could attend and provide input if they chose.

- iii. **Q:** The Lakeside Neighborhood Plan is supposed to be reviewed every 5 years. When the court makes a decision this year or next, what happens to the next revision?

**A:** It is true the Neighborhood Plan is supposed to be reviewed every 5 years and revised if needed. The five year period starts with the Commissioners approval and resolution to adopt the 2010 Revised Neighborhood Plan – that was December 1, 2010. The legal proceedings seek to void this revised plan and that decision will determine what the next steps are.

- iv. **Q:** Why is a planning representative needed? Who is the Commissioner appointed member of Council?

**A:** Planners from P&Z attend meetings when they have Lakeside-related business, such as applications, variances or reports that impact Lakeside. Planners are not Council members. The Commissioner-appointed Council member is currently Mike Wilson. This Council member is not a representative of P&Z and has no relation to P&Z staff. He/she represents Lakeside, like any other Council member; the only difference is he/she is Commissioner-appointed, not elected, according to the By-Laws. The Council usually submits recommended names to the Commissioners for this seat. Citizens can express their interest in this seat to Council member(s) – candidate must be a registered voter in the Lakeside area. .

- v. **Q:** What is happening with the Lakeside Water/Sewer district project to install a filter system at the end of Bill's Road on the east side of Hwy 93. The Lakeside Neighborhood Plan Committee supported a tax for this? What is the status and what tax implications are associated with this project?

**A:** The Lakeside Community Council has no information on these questions. The Lakeside Neighborhood Plan Committee had only an informational presentation on the Stormwater Project by an LCWSD board member at least a year ago and made no such statement of support. The LCWSD will be invited to attend the October council meeting to give an update and answer any questions.

- vi. **Q:** The Council has no control over holding meetings, selecting people to serve on committees, selecting people to serve on the council, or holding special elections for vacancies between regular elections.

**A:** (a) Council's By-Laws state that meetings will be held the last Tuesday of every month; Council reaffirmed this commitment in the August 30, 2011 meeting, despite the P&Z press release to reduce meetings. Council can call special meetings if it deems necessary – for example, such a special meeting was called and held on July 14, 2009 to hear additional public input on the draft revised Neighborhood Plan.

(b) Council can select committee members for committees they form to do work on their behalf. Examples include the Parks Committee many years ago, the Lakeside

Neighborhood Plan Committee in 2007, and the Lakeside Trails Committee in 2010.

(c) The county, not the Council, determines the processes and requirements for elections and special elections. For the seat always appointed by the Commissioners and for any vacant seat, the Council can and does make recommendations for candidates for those seats. To date, the Commissioners have honored these recommendations and named one of the candidates recommended by Council.

- vii. **Q:** Barb Miller agreed to provide the council's mailing list to non-profits to help raise funding for the Blacktail Trail.

**A:** Barb Miller never committed to provide any mailing list of any kind to anyone. There is no council mailing list or database. As a community service, there exists a voluntary email distribution list (the Lakeside-Somers Voice), maintained voluntarily by a local citizen who is not associated in any way with the Council, other than being a resident of Lakeside. Any citizen can volunteer to be on this mailing list (or unsubscribe at any time), and will receive emails occasionally with items or events of local interest, including the status of the Blacktail Trail and the need for local funding. Any citizen can send items/events of local interest for publication to this email list.

10. David moved, Craig seconded, and passed unanimously to adjourn the meeting.

## Questions for the Community Council

1. NAMES FOR THE VACANCY. Within the time set by this committee you only had one resume and letter of interest (Janet's). There is no indication that Merrideth Coopman was contacted to provide a resume or a letter of interest after the original date was set or that Richard Williams was contacted to see if he could provide a resume or letter of interest following the original date for submission. It appears that this extra time was only afforded Ryan Keeler. Please explain the reasoning.
2. SKIPPING SCHEDULED MEETINGS: The July meeting was canceled because the county claimed it was too expensive. Please tell us what the cost of the meeting is. I was understanding that the room was free, and the council received no reimbursement. The only other item is the possible overtime for a planner to attend. The last time a planner attended a meeting was the August meeting of last year and that was to present a staff report for a zoning request. The last time the minutes not a planner attended just to represent the planning office was June of last year. With planner's attending so seldom, why should meeting be canceled because the planning and zoning office doesn't want to have a presents.
3. LAKESIDE NEIGHBORHOOD PLAN: The present Lakeside Neighborhood plan has data in excess of six years old and that appears to put it out of the five year revision cycle. Sometime next year the courts will make a ruling on the law suit the plan is part of. At that time Lakeside will either be under the 1994 plan or the 2010 plan and facing a short time period for selecting and getting commissioners approval of a new committee and completing the work for a 2015 Neighborhood plan. Is the plan to rubber stamp the existing and make it sound like nothing has changed (assuming the court rules in favor of the county) or to continue except use an eight year update schedule instead of a five year.
4. COUNCIL MEMBERSHIP: Why should the county need P&Z rep present in addition to their representative on the council. Who is the member filling the requirements of Article 5, Item II, Paragraph D of the by-laws?
5. TAXES AND THE COMMUNITY COUNCIL'S SUPPORT: At the Oct. 2009 Meeting of the Lakeside county water and sewer district a project to install a filter system at the end of Bills road on the east side of Highway 93. A gentleman who goes by the nickname of the preacher stated that taxing the community for the cost of required maintenance was agreeable to the Lakeside Neighborhood plan committee, a committee of the Lakeside community council. The water and sewer district was contacted a month or so later and I was told not too worry because it would be a couple of years or so before the negotiations were completed. October of this year is two years. How are the negotiations going and when what is the expected increase in taxes at this time.
6. WHAT DOES THE COUNCIL DO? The council has no control over the following:
  - Holding meetings

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- Selecting people to serve on Lakeside committees
  - Selecting people to serve on the council or holding special elections for vacancies between regular elections.

## By Laws

1. Article 2 section 1 The council shall strive to promote the interest and concerns of its citizens in the planning area. The Community Council shall act as a liaison between the County Commissioners and the citizens of Lakeside, provide useful and beneficial information which will aid the County commissioners in making decisions regarding the lakeside community. Serve as a channel of communication with local, county, state and federal government officials and agencies regarding matters of concern to the citizens of Lakeside.
2. Article 4, Section 1.Paragraph B: How do you accomplish the requirements of this by-law without having members meet with the groups listed in this part of the by-laws.
3. Article 4, section 1, Paragraph C: This item requires communicating regularly with the citizens of lakeside. It does not include the monthly business meeting as one of the means of getting the word out. Where and when do you do any of these
4. Article 4, Section 1, Paragraph D states that the board shall be represented at commissioner meeting and other county boards where issues of importance to the lakeside community will be discussed.
5. Article 5 item II D. Who is the member that was appointed by the commissioners in order to achieve greater balance in community representation.
6. Article 5.Item III B: Janet Conroy has been appointed for 3 years. Her position was identified as a vacancy and according to the by-law indicated that is not correct. When was the rule changed and why wasn't the citizens of Lakeside notified.
7. Helping non-profits raise money. BJ Grieve stated at the July meeting that matching funds were needed to get a government grant for the trails work and that the community council could not help raise the money. At this point Barb Miller stated that she would provide the councils mailing list to the non profits the assist in raising money. Assuming BJ was correct the act of providing the mailing list is assistance to the non-profit organization.